

REPUBLIC OF KENYA

COUNTY GOVERNMENT OF GARISSA

GARISSA COUNTY ASSEMBLY



Third County Assembly
(N0. 067)



Third Session
(1)

THIRD COUNTY ASSEMBLY – (THIRD SESSION)
SPECIAL SITTING
VOTES AND PROCEEDINGS
THURSDAY, AUGUST 8TH, 2024 AT 9:30 AM

The Proceedings of the Assembly commenced at 9:30 O'clock.

Clerks at the Table

M.A. Santur -Clerk of the County Assembly
Mr. Mahat Hassan- Clerk Assistant

Mace Bearers

Mr. Abdirahman Salat- Sergeant-at-arms
Mr. Ahmed Hussein Salat -Sergeant-at-arms
Mr. Hamdi Abdi Bukur –Commissioner

Prayer

The proceedings were opened with Prayer said by the nSpeaker Hon Abdi Idle Gure as provided by the standing order.

PROCEEDINGS OF THE SITTING IN THE ORDER OF BUSINESS

1. Administration of Oath

There was no business transacted under this order

2. Communication from the Chair

The Speaker made the following Communication;

Hon. Members,

As you are aware, we are at the beginning of the budget cycle and our budget is not yet uploaded by the controller of budget office.

Hon. Members,

As per Gov't regulations, money cannot be spent without an active budget. In this regard, and fact that salaries are required by us all at the end of month, we are going the extra mile borrow from our local commercial banks.

The other option was to wait until our budget is up and ready. We don't want to

inconvenience our members and staff.

Also note that there are new tariffs imposed by CBK on commercial banks hence it may be untenable to borrow from now onwards.

Thank you.

3. Messages

There was no business transacted under this order

4. Petitions

There was no business transacted under this order

5. Papers

There was no business transacted under this order

6. Notices of Motion

There following notice of motion were given by the Majority Leader (Hon Mohamed Abdi Farah);

That, aware that, the Public Finance Act 2012 mandates the National Treasury to disburse monies to the devolved units at the beginning of every month and in any event, not later than the 15th day from the commencement of the quarter.

Further aware that, this has not been happening due to unavoidable delay making Counties across the country to face a major cash crunch following such delays by the national government to remit disbursements to the devolved units in good time and in particular Garissa County. The County Assembly requires adequate financial resources to ensure uninterrupted operations

Noting that, these delays have negatively impacted on service delivery in the County Assembly and to be specific have caused unnecessary delays in respect of payments of salaries other operational costs to both the Hon members and staff of the County Assembly. therefore, Short-term borrowing will facilitate the timely payment of salaries, allowances, and other operational costs, which are currently under strain due to budgetary delays. There are several strategic investments and developmental projects that require immediate funding hence the short-term borrowing will enable us to capitalize on opportunities that will enhance the efficiency and effectiveness of our service delivery

Concerned that, deferred payments of salaries cause significant inconveniences to both the Hon Members and staff of the Assembly which can affect the day-to-day activities of the county Assembly and damage the reputation of the county Assembly both internally among staff and externally among constituents.

Cognizant of the fact that, Section 142 of the Public Finance Management Act empowers the County Assembly to authorize short-term borrowing by county government entities for

cash management purposes only. The proposed borrowing will be in strict compliance with the Public Finance Management Act and other relevant regulations. This ensures that the borrowing is conducted transparently and responsibly and the County Assembly Service Board will maintain a high level of accountability and transparency in the utilization of the borrowed funds.

Appreciating that, by authorizing short-term borrowing, we will ensure that the County Assembly can meet its financial obligations promptly, thereby maintaining the high standards of service delivery expected by our constituents and also preventing disruptions that could negatively impact the economic stability of the County Assembly's operations.

Now therefore, this motion seeks to urge the County Assembly to authorize short term borrowing by the County Assembly Service Board not exceeding Ksh 42 Million per month for the financial year 2024/2025 at a cost of not more than 1% on the same amount and 20% excise duty on the same for purposes of paying salaries and other operational costs on time whenever there are unforeseen delays of disbursements of funds from the National treasury. I urge all Honorable Members to support this motion for the benefit of our County Assembly and the people we serve. I beg to give notice.

7. Questions and Statements

There was no business transacted under this order

8. Motions and Bills

MOTION URGING THE COUNTY ASSEMBLY TO AUTHORIZE SHORT TERM BORROWING NOT EXCEEDING KSH 42 MILLION BY THE COUNTY ASSEMBLY SERVICE BOARD FOR PURPOSES OF PAYING SALARIES AND OTHER OPERATIONAL COSTS

Order Read;

Motion made and Question proposed-

That, aware that, the Public Finance Act 2012 mandates the National Treasury to disburse monies to the devolved units at the beginning of every month and in any event, not later than the 15th day from the commencement of the quarter.

Further aware that, this has not been happening due to unavoidable delay making Counties across the country to face a major cash crunch following such delays by the national government to remit disbursements to the devolved units in good time and in particular Garissa County. The County Assembly requires adequate financial resources to ensure uninterrupted operations

Noting that, these delays have negatively impacted on service delivery in the County Assembly and to be specific have caused unnecessary delays in respect of payments of

salaries other operational costs to both the Hon members and staff of the County Assembly therefore Short-term borrowing will facilitate the timely payment of salaries, allowances, and other operational costs, which are currently under strain due to budgetary delays. There are several strategic investments and developmental projects that require immediate funding hence the short-term borrowing will enable us to capitalize on opportunities that will enhance the efficiency and effectiveness of our service delivery

Concerned that, deferred payments of salaries cause significant inconveniences to both the Hon Members and staff of the Assembly which can affect the day-to-day activities of the county Assembly and damage the reputation of the county Assembly both internally among staff and externally among constituents.

Cognizant of the fact that, Section 142 of the Public Finance Management Act empowers the County Assembly to authorize short-term borrowing by county government entities for cash management purposes only. The proposed borrowing will be in strict compliance with the Public Finance Management Act and other relevant regulations. This ensures that the borrowing is conducted transparently and responsibly and the County Assembly Service Board will maintain a high level of accountability and transparency in the utilization of the borrowed funds.

Appreciating that, by authorizing short-term borrowing, we will ensure that the County Assembly can meet its financial obligations promptly, thereby maintaining the high standards of service delivery expected by our constituents and also preventing disruptions that could negatively impact the economic stability of the County Assembly's operations.

Now therefore, this motion seeks to urge the County Assembly to authorize short-term borrowing by the County Assembly Service Board not exceeding Ksh 42 million per month for the financial year 2024/2025 at a cost of not more than 1% on the same amount and 20% excise duty on the same for purposes of paying salaries and other operational costs on time whenever there are unforeseen delays of disbursements of funds from the National treasury. I urge all Honorable Members to support this motion for the benefit of our County Assembly and the people we serve. The majority leader Hon Mohamed Abdi Farah moved and request Hon Omar Abdi Hassan to second. The Hon member seconded.

Debate arising;

Mover replied;

Question put and **agreed to.**

9. PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD OF A SPECIFIED BILL

Order Read;

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 140, this House resolves to reduce the publication period of the Garissa County Climate Change Bill,2024 (Assembly Bill No. 4 of 2024) from **fourteen (14) days** to **one (1) day**, moved by the Committee Chair Hon Mohamed Sheikh Salat and request Hon Timira Bishar to second. The Hon member seconded

Debate arising;

Mover replied;

Question put and **agreed to.**

10. THE GARISSA COUNTY CLIMATE CHANGE BILL, 2024(ASSEMBLY BILL NO 4 OF 2024)

Order for First Reading Read;

Clerk-at-Table read the Long Title of the Bill,2024

11. ASSEMBLY ROSE - at twelve O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, September 3, 2024 at 9.30 a.m.

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